

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**UNITED STATES OF AMERICA,**

**Plaintiff/Respondent,**

**vs.**

**No. CV 16-00736-RB-SMV  
No. CR 09-02968-RB**

**DANIEL RAMON MUÑOZ,**

**Defendant/Movant.**

**ORDER STAYING CASE PENDING  
TENTH CIRCUIT AUTHORIZATION PURSUANT TO 28 U.S.C. § 2255(h)**

**THIS MATTER** is before the Court under rule 4 of the Rules Governing Section 2255 Proceedings on Defendant/Movant Daniel Ramon Muñoz's Motion to Correct Sentence Pursuant to 28 U.S.C. § 2255, filed on July 27, 2016. [CV Doc. 1; CR Doc. 531] This is a successive § 2255 Motion and Muñoz has not yet obtained authorization to proceed from the United States Court of Appeals for the Tenth Circuit. *See* 28 U.S.C. § 2255(h). The Court notes, however, that Muñoz has filed a Motion for Permission in the Tenth Circuit, seeking authorization to proceed with his § 2255 Motion. *See In re: Muñoz*, No. 16-2160 (10th Cir. June 28, 2016). Therefore, the Court will order this case stayed pending the Tenth Circuit's ruling on Muñoz's Motion for Permission.

**IT IS ORDERED** that this matter is STAYED pending the ruling of the United States Court of Appeals for the Tenth Circuit on Muñoz's Motion for Permission to file a second or successive habeas petition under 28 U.S.C. § 2255.



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**STEPHAN M. VIDMAR**  
**UNITED STATES MAGISTRATE JUDGE**